

HOUSE OF REPRESENTATIVES—Wednesday, December 27, 1995

(Legislative day of Friday, December 22, 1995)

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. WALKER] at 5 o'clock and 3 minutes p.m.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

In the stillness of this moment, in the quiet of our prayer, we place before You, O God, that which is in our hearts and souls, those thoughts and ideas and feelings that make us what we are and direct us along life's way. We pray, gracious God, that You would refresh us and encourage us, that You would heal our hearts and make us strong, that You would forgive us when we miss the mark and give peace to every soul. For the wonders of the world and the little miracles of every day, we offer these words of prayer and thanksgiving. In Your name, we pray. Amen.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Maryland [Mrs. MORELLA] come forward and lead the House in the Pledge of Allegiance.

Mrs. MORELLA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, December 27, 1995.
Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Wednesday, December 27, 1995 at 2:15 p.m.: That the Senate passed with amendment H.R. 1358 and made appointments to National Skill Standards Board and United States Commission on Civil Rights.

With warm regards,
ROBIN H. CARLE,
Clerk,
House of Representatives.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, December 27, 1995.
Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Wednesday, December 27, 1995 at 3:50 p.m., and said to contain a message from the President whereby he transmits a determination certifying that suspending U.S. economic sanctions on Serbia and Montenegro and lifting the arms embargo are necessary to achieve a negotiated settlement of the conflict in Bosnia.

With warm regards,
ROBIN H. CARLE,
Clerk,
House of Representatives.

PRESIDENTIAL CERTIFICATION TO SUSPEND SANCTIONS IMPOSED ON THE FEDERAL REPUBLIC OF YUGOSLAVIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on National Security, the Committee on International Relations, the Committee on Banking and Financial Services, and the Committee on Transportation and Infrastructure and ordered to be printed:

To the Congress of the United States:

Section 1511 of the National Defense Authorization Act for Fiscal Year 1994 (hereinafter the "Act"), requires that the sanctions imposed on Serbia and Montenegro, as described in that section, shall remain in effect until changed by law. Section 1511(e) of the Act authorizes the President to waive or modify the application of such sanctions upon certification to the Congress that the President has determined that the waiver or modification is necessary to achieve a negotiated settlement of the conflict in Bosnia-Herzegovina that is acceptable to the parties.

In accordance with this provision, I have issued the attached Presidential Determination stating that the suspension of the sanctions described in section 1511(a)(1-5) and (7-8) and in conformity with the provisions of United Nations Security Council Resolutions 1021 and 1022 is necessary to achieve a negotiated settlement of the conflict. As described in the attached Memorandum of Justification, this sanctions relief was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initiated in Dayton, Ohio, on November 21, 1995 (hereinafter the "Peace Agreement").

I have directed the Secretaries of the Treasury and Transportation to suspend immediately the application of these sanctions on Serbia and Montenegro and have authorized the Secretary of State to suspend the arms embargo at appropriate stages consistent with United Nations Security Council Resolution 1021. The first stage would be 91 days after the United Nations Secretary General reports to the United Nations Security Council that all parties have formally signed the Peace Agreement.

The measures taken to suspend these sanctions may be revoked if the Implementation Force (IFOR) commander or High Representative determines that Serbia and Montenegro or the Bosnian Serbs are not meeting their obligations under the Peace Agreement.

WILLIAM J. CLINTON.

THE WHITE HOUSE, December 27, 1995.

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland will state it.

Mr. HOYER. Mr. Speaker, would it be in order at this time to ask for a unanimous-consent request to bring up S. 1508, which will then declare all Federal employees to be essential and put the Government back to work tomorrow?

The SPEAKER pro tempore. Under the Speaker's guidelines, such an action would not be permitted until it is fully cleared.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

ELECTION OF MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. ARMEY. Mr. Speaker, by direction of the House Republican Conference, I offer a privileged resolution (H. Res. 324), the election of a Member to certain standing committees of the House, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 324

Resolved, That the following named Member be, and he is hereby, elected to the following standing committees of the House of Representatives:

Committee on Banking and Financial Services: Mr. Campbell of California, to rank following Mr. King of New York.

Committee on International Relations: Mr. Campbell of California.

Mr. HOYER. Parliamentary inquiry.

The SPEAKER pro tempore. Without objection, the resolution is agreed to.

There was no objection.

The SPEAKER pro tempore. Without objection, a motion to reconsider is laid on the table.

There was no objection.

PARLIAMENTARY INQUIRIES

Mr. HOYER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. It is my understanding that that is subject to a vote; am I correct?

The SPEAKER pro tempore. The Chair has just declared the resolution adopted by unanimous consent and the motion to reconsider has been laid upon the table.

Mr. HOYER. That was during the time that I was asking for this parliamentary inquiry.

The SPEAKER pro tempore. The answer to the gentleman's question is that the resolution has now been dealt with.

Mr. HOYER. If I may continue my parliamentary inquiry, based upon that, that was a voice vote, I take it.

The SPEAKER pro tempore. No. It was adopted by unanimous consent. The motion to reconsider was laid upon the table.

Mr. HOYER. Mr. Speaker, let me say that I was asking for the parliamentary inquiry during the course of your talking, and you did not stop for me to make my parliamentary inquiry.

The SPEAKER pro tempore. The gentleman asked for a parliamentary inquiry during the time that the Clerk was reporting the resolution, and he is not eligible to be recognized during the time that the Clerk is reporting the resolution. The gentleman did not reserve the right to object when the Chair made that particular representation to the House.

Mr. MORAN. Mr. Speaker, parliamentary inquiry. Is not the Speaker

required to enunciate the proper procedure to determine whether there, in fact, is unanimous consent? This Member did not hear unanimous consent requested, and thus was not able to respond.

The SPEAKER pro tempore. The Chair said that without objection, the resolution is agreed to and the motion to reconsider is laid upon the table. That was the point that the Chair made. It is the gentleman's duty to follow the proceedings of the House.

Mr. MORAN. This Member was waiting for a response from the Speaker, assuming that a parliamentary inquiry had to be responded to before any further determinative action by the body could take place.

The SPEAKER pro tempore. The Chair, in a timely manner when the gentleman asked for a parliamentary inquiry, did, in fact, take the gentleman's parliamentary inquiry. The gentleman could have reserved the right to object at the point that the Chair put the issue of adoption.

Mr. MORAN. In other words, just to understand the Speaker's interpretation, if a Member is asking for a parliamentary inquiry, they would first have to reserve the right to object in order to state their parliamentary inquiry.

The SPEAKER pro tempore. The Chair has explained. The gentleman had propounded his parliamentary inquiry during the time that the Clerk was reporting the resolution. That is not a timely parliamentary inquiry. The Chair, upon the reporting of the resolution, did, in fact, allow the House to respond to the Chair's presentation to the House that this was being adopted by unanimous consent. This is in line with the way that other resolutions regarding the election of Members to committees are handled in the House.

The Chair did not deviate at all from the way in which this matter is handled on all other cases where the caucus is bringing to the Chamber a resolution electing Members to committees, so that this was all handled in the normal process.

REQUEST TO ADDRESS THE HOUSE

Mr. HOYER. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute for the purposes of propounding a question to the majority leader.

Mr. ARMEY. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Texas objects.

RECESS

The SPEAKER pro tempore. The Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 11 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WALKER) at 12 o'clock and 1 minute a.m.

RECESS

The SPEAKER pro tempore. Pursuant to the second section of House Resolution 320, the Chair declares the House in recess subject to the call of the chair.

Accordingly (at 12 o'clock and 2 minutes a.m.), the House stood in recess subject to the call of the chair.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1507. An act to provide for the extension of the Parole Commission to oversee cases of prisoners sentenced under prior law, to reduce the size of the Parole Commission, and for other purposes; to the Committee on the Judiciary.

S. 1509. An act to amend the Impact Aid program to provide for a hold-harmless with respect to amounts for payments relating to the Federal acquisition of real property, to permit certain local educational agencies to apply for increased payments for fiscal year 1994 under the Impact Aid program, and to amend the Impact Aid program to make a technical correction with respect to maximum payments for certain heavily impacted local educational agencies; to the Committee on Economic and Educational Opportunities.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 394. An act to amend title 4 of the United States Code to limit State taxation of certain pension income.

H.R. 1655. An act to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 1878. An act to extend for 4 years the period of applicability of enrollment mix requirement to certain health maintenance organizations providing services under Dayton Area Health Plan.

H.R. 2627. An act to require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the founding of the Smithsonian Institution.

H.J. Res. 136. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. MORELLA (for herself, Mr. DAVIS, Mr. WOLF, and Mr. MORAN):

H.R. 2840. A bill to assure that all Federal employees work and are paid; to the Committee on Government Reform and Oversight.

By Mr. DORNAN:

H. Con. Res. 129. Concurrent resolution expressing the sense of the Congress that Thai-

land should release the six Hmong/Lao refugee camp leaders arrested for refusing to repatriate to Laos in 1994 and that Thailand should allow resettlement of eligible Hmong refugees in Thai refugee facilities at Ba Na Pho, Sikhui and Phanat Nikhom; to the Committee on International Relations.

By Mr. ARMEY:

H. Res. 324. Resolution electing Representative Campbell to the Committees on Banking and Financial Services and International Relations; Considered and agreed to.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 895: Mr. WELDON of Florida, Mr. SKEEN, Mr. GILMAN, Mr. McKEON, Mr. FRANKS of New Jersey, and Mr. ROBERTS.

H.R. 1046: Ms. PELOSI.

H.R. 2214: Mr. PETERSON of Florida.

H.R. 2705: Ms. NORTON, Ms. KAPTUR, Mr. KLINK, and Mr. MARTINEZ.

H.R. 2748: Mr. GUTIERREZ, Mr. MATSUI, Mrs. CLAYTON, Mr. FRAZER, Mr. GENE GREEN of Texas, Mr. THOMPSON, and Mr. TORKILDSEN.